

Appln. Serial No. 10/697,154
Amendment dated 2/26/06
Reply to Office action of 12/07/2005

REMARKS/ARGUMENTS

The Applicant respectfully acknowledges the interview so courteously afforded by the Examiner. During the interview, a model of the invention was reviewed, together with a proposed Amendment After Final Rejection. The proposed amendment of parent claim 1 -- upon which claims 3 and 4 depend -- was discussed, and consideration was given to the prior art references of record. Claims 5 and 7 - 12 have been allowed.

As discussed during the interview, claim 1 has been amended to broadly recite the sealing means of original claim 9 (which depends from allowed claim 5), plus the recitation of the curved convex tips of the latch teeth 66, as shown in Fig. 25 by the line R₁. Dependent claim 3 is directed to the cylindrical keeper or strike embodiment of Figs. 10 and 11, and dependent claim 4 is directed to the polygonal keeper or strike embodiment of Figs. 36 - 39.

As illustrated by the commercial model of the invention demonstrated during the interview, the invention as recited in amended claim 1 is clearly patentably distinguishable from the teachings of the cited prior art. Applicant's invention "was developed to avoid the misalignment and other drawbacks of the know latch and strike assemblies, and to provide a positive-acting waterproof latch assembly that is reliable and relatively inexpensive to produce." (page 2, lines 7 - 9) To this end, the waterproof slam latch apparatus includes a tubular body 8 provided with a divider wall 8a (Figs. 2 and 34). The latch element 2 and the rack and pinion means for operating the same are arranged below the divider wall, and the operating handle 16 is arranged above the divider wall. The handle 16 is connected with the rack and pinion means via the pivot shaft 18 having a non-circular cross-sectional configuration (Fig. 24) that extends through openings 20 formed in the tubular body. Thus, the only seal means required for obtaining the desired waterproof result in the slam latch assembly are the O-rings 24 (Fig. 2) mounted on the pivot shaft 18. The curved tips of the latch teeth 66 on the latch member 2 (Fig. 25) compensate for misalignment of the tubular body 8 and the latch member 2 relative to the stationary cylindrical striker 4 (Fig. 2) or the polygonal striker 104 (Fig. 37).

In the cited Furlong patent No. 6,709,030, the latch 24 is operated by the handle 16 by the lever arm means 34 of Fig. 9, including the axle 36 and the cam 32 arranged to engage an abutment surface on the slide member 30, as shown in Fig. 8. In Furlong, there are provided no seal means for sealing the axle 36 corresponding to Applicant's O-rings 24, and no misalignment means are provided on the latch 24 as recited in amended claim 1.

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In the Johansson et al patent No. 6,113,160, the latch arrangement for cabinet doors and the like includes a push-button type of latch actuator in which latching of the pawl with the keeper can occur with the push-button 18 either in an extended position (Figs. 11 and 12) or a retracted position (Fig. 13), as set forth in column 2, lines 48 - 53. Misalignment compensating means are provided on the latch member (column 2, lines 58 - 65; column 28, lines 29 - 34). However, this latch member is not operated by a handle via a sealed pivot shaft and rack and pinion means, in accordance with Applicant's invention recited in amended claim 1. The push-pull button operated latch arrangement of the Johansson et al reference would not be suitable for use in the waterproof slam latch arrangement of the instant invention, which is designed for use in locking ship-board hatches and the like.

Similarly, the patents to Sandu et al No. 5,484,178 and Varney No. 462,183 fail to disclose Applicant's waterproof latch arrangement operated by rack and pinion means arranged below a divider wall, a pivoted handle arranged above the divider wall, and means including a sealed pivot shaft connecting the handle with the rack and pinion means, together with misalignment compensating means, as recited in amended claim 1.

It is Applicant's understanding from the interview that the amended claims 1, 3 and 4 are allowable together with the previously allowed claims 5 and 7 - 12, and that the application is now in condition for allowance.

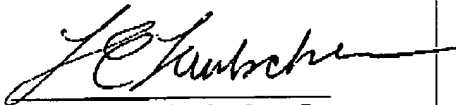
Favorable action is courteously solicited.

Please charge any Government fees resulting from the entry of this Amendment to our Account No. 12-0605.

Respectfully submitted,

2/25

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